



MAX-PLANCK-GESELLSCHAFT

Max Planck Institute for  
Innovation and Competition

**ETH**

Eidgenössische Technische Hochschule Zürich  
Swiss Federal Institute of Technology Zurich  
Center for Law & Economics

# Munich Conference on Innovation and Competition (MCIC 2014)

Castle Ringberg, Kreuth, Germany

June 23 to 25, 2014



# PROGRAM

(as of June 25, 2014)

## Monday, June 23, 2014

12.30 – 13.30	Lunch	
14.00	Welcome (lecture hall) Dietmar Harhoff, MPI Munich Stefan Bechtold, ETH Zurich	
	<i>Session chair: Stefan Bechtold</i>	
14.15 – 15.00	Keynote 1 (lecture hall)	
14.15 – 14.40	Petra Moser, Stanford: Do Copyrights Encourage Creativity? Evidence from Opera Premieres in Italy, 1770-1900	
14.40 – 14.50	Commentator: Frank Müller-Langer, MPI Munich	
14.50 – 15.00	Discussion	
15.00 – 15.45	Keynote 2 (lecture hall)	
15.00 – 15.25	Robert Bone, Texas: Still Searching for Foundations: Observations from a Trade Secret Skeptic	
15.25 – 15.35	Commentator: Stefan Bechtold, ETH Zurich	
15.35 – 15.45	Discussion	
15.45 – 16.15	Coffee break	
16.15 – 17.00	Keynote 3 (lecture hall)	
16.15 – 16.40	Jerry Thursby, Georgia Tech: The Nexus of University Science and Biopharmaceutical Applications	
16.40 – 16.50	Commentator: Patrick Waelbroeck, ParisTech	
16.50 – 17.00	Discussion	
17.00 – 17.10	Short break to change rooms	
	<i>Parallel session chair: Henri de Belsunce</i>	
17.10 – 17.55	Parallel session 1 (blue seminar room)	
17.10 – 17.30	Heiko Karle, ETH Zurich: The Timing of Negotiations: Bargaining, Incomplete Agreements and the Focusing Effect	
17.30 – 17.40	Commentator: Lisa Fey, University of Munich	
17.40 – 17.55	Discussion	
	<i>Parallel session chair: Sylvie Nerisson</i>	
17.10 – 17.55	Parallel session 2 (green seminar room)	
17.10 – 17.30	Nicholson Price, Harvard: Incentives, Intellectual Property, and Transformational Personalized Medicine	
17.30 – 17.40	Commentator: Geertui van Overwalle, Leuven/Tilburg	
17.40 – 17.55	Discussion	
17.55 – 18.40	Parallel session 3 (blue seminar room)	
17.55 – 18.15	Tun-Jen Chiang, George Mason: Forcing Patent Claims	
18.15 – 18.25	Commentator: Henri de Belsunce, IMPRS-CI Munich	
18.25 – 18.40	Discussion	
17.55 – 18.40	Parallel session 4 (green seminar room)	
17.55 – 18.15	Roger Ford, Chicago: The Patent Spiral	
18.15 – 18.25	Commentator: Robert Bone, Texas	
18.25 – 18.40	Discussion	
19.00	Dinner	

## Tuesday, June 24, 2014

*Session chair: Dietmar Harhoff*

09.00 – 09.45  
09.00 – 09.25  
09.25 – 09.35  
09.35 – 09.45

Keynote 4 (lecture hall)  
Geertrui van Overwalle, Leuven & Tilburg: Governing Genomic Data: Plea for an “Open Commons”  
Commentator: Stefan Bechtold, ETH Zurich  
Discussion

09.45 – 10.15  
Coffee break

	<i>Parallel session chair: Stefan Bechtold</i>	<i>Parallel session chair: Heiko Karle</i>
10.15 – 11.00 10.15 – 10.35	Parallel session 5 (blue seminar room) Fabian Gässler, IMPRS-CI Munich: Invalid but Infringed? An Analysis of Germany’s Bifurcated Patent Litigation System Commentator: Petra Moser, Stanford Discussion	Parallel session 6 (green seminar room) Frank Müller-Langer, MPI Munich: The Hybrid Open Access Citation Advantage: How Many More Cites is a \$3,000 Fee Buying You? Commentator: Patrick Waelbroeck, ParisTech Discussion
11.00 – 11.45 11.00 – 11.20	Parallel session 7 (blue seminar room) Jens Frankenreiter, ETH Zurich: Forum Selling: Supply-Side Effects in Patent Forum Shopping Commentator: Dietmar Harhoff, MPI Munich Discussion	Parallel session 8 (green seminar room) Lisa Fey, University of Munich: Leniency Programs and Private Actions for Damages Commentator: Andrea Günster, ETH Zurich Discussion
11.45 – 12.30 11.45 – 12.05	Parallel session 9 (blue seminar room) Markus Lang, MPI Cologne: Social Esteem in Patent Practice: Legal Skills and Scientific Careers Commentator: Fabian Gässler, MPI Munich Discussion	Parallel session 10 (green seminar room) Henri de Belsunce, IMPRS-CI Munich: Patenting Strategies in Cumulative Innovation under the Threat of Litigation Commentator: Heiko Karle, ETH Zurich Discussion

12.30 – 14.00  
Lunch

*Session chair: Frank Müller-Langer*

14.00 – 14.45  
14.00 – 14.20  
14.20 – 14.30  
14.30 – 14.45

Plenary session 1 (lecture hall)  
Joseph Fishman, Harvard: Creating Around Copyright  
Commentator: Stefan Bechtold, ETH Zurich  
Discussion

14.45 – 15.30  
14.45 – 15.05  
15.05 – 15.15  
15.15 – 15.30

Plenary session 2 (lecture hall)  
Hong Luo, Harvard: Copyright Enforcement in Stock Photography  
Commentator: Stefan Bechtold, ETH Zurich  
Discussion

15.30 – 16.00  
Coffee break

	<i>Parallel session chair: Sylvie Nerisson</i>	<i>Parallel session chair: Stefan Bechtold</i>	<i>Parallel session chair: Christian Helmers</i>
16.00 – 16.45 16.00 – 16.20	Parallel session 11 (lecture hall) Martin Husovec, IMPRS- CI Munich: Accountable, Not Liable: How Far Should Forced Participa- tion of Intermediaries Go? Commentator: Tun-Jen Chiang, George Mason Discussion	Parallel session 12 (blue seminar room) Andrea Günster, ETH Zürich: Enforcement of European Competition Policy: The Impact on Competition and Efficiency Commentator: Mark-Oliver Mackenrodt, MPI Munich Discussion	Parallel session 13 (green seminar room) Kalpana Tyagi, IMPRS-CI Munich: Promoting ‘Competition-in-Innovation’ Through Effective Merger Remedies in the Innovation-led ICT Sector: A Transatlantic Study Commentator: Christian Helmers, Santa Clara Discussion

16.45 – 17.30	Parallel session 14 (lecture hall)	Parallel session 15 (blue seminar room)	Parallel session 16 (green seminar room)
16.45 – 17.05	Alina Wernick, IMPRS-CI Munich: Overcoming the Limits of Open Innovation	Jennifer Sturiale, George Mason: Variety, Mergers, and Consumer Welfare: Towards a Capability Approach to Merger Law	Emil Temnyalov, Northwestern: Breaking the IP Truce: How Patent Assertion Entities Affect the Incentives for Litigation and Innovation
17.05 – 17.15	Commentator: Geertrui van Overwalle, Leuven/Tilburg	Commentator: Dov Solomon, College of Law & Business (Israel)	Commentator: Heiko Karle, ETH Zurich
17.15 – 17.30	Discussion	Discussion	Discussion
17.45	Tour of the castle		
18.45	Bavarian buffet		

### Wednesday, June 25, 2014

*Session chair: Jens Frankenreiter*

09.00 – 09.45	Keynote 5 (lecture hall)		
09.00 – 09.25	Patrick Waelbroeck, ParisTech: Copyright Industries: Impact of Digitization and New Business Models		
09.25 – 09.35	Commentator: Dietmar Harhoff, MPI Munich		
09.35 – 09.45	Discussion		
09.45 – 10.30	Plenary session 3 (lecture hall)		
09.45 – 10.05	Kyriakos Drivas, Agricultural University of Athens: University Ownership, Patent Flow, and Signaling Effects of Licensing on Follow-on Research		
10.05 – 10.15	Commentator: Jerry Thursby, Georgia Tech		
10.15 – 10.30	Discussion		
10.30 – 11.00	Coffee break		
	<i>Parallel session chair: Andrea Günster</i>	<i>Parallel session chair: Stefan Bechtold</i>	
11.00 – 11.45	Parallel session 17 (blue seminar room)	Parallel session 18 (green seminar room)	
11.00 – 11.20	Arthur von Martels, IMPRS-CI Munich: Preliminary Injunctions in Patent Law	Paolo Zacchia, Berkeley: Knowledge Spillovers through Inventors' Networks	
11.20 – 11.30	Commentator: Jens Frankenreiter, ETH Zurich	Commentator: Martin Watzinger, University of Munich	
11.30 – 11.45	Discussion	Discussion	
11.45 – 12.30	Parallel session 19 (blue seminar room)	Parallel session 20 (green seminar room)	
11.45 – 12.05	Antonio Della Malva, Leuven: Scientific Disclosure and Market Value in the U.S. Semiconductor Industry: Knowledge Basicness and Re-appropriation	Dov Solomon, College of Law & Business (Israel): Intellectual Property Securitization	
12.05 – 12.15	Commentator: Andrea Günster, ETH Zurich	Commentator: Robert Bone, Texas	
12.15 – 12.30	Discussion	Discussion	
12.30 – 13.15	Lunch		

# LIST OF PARTICIPANTS

Bechtold, Stefan	ETH Zurich
Belsunce, Henri de	IMPRS-CI Munich
Bone, Robert	Texas
Chiang, Tun-Jen	George Mason
Della Malva, Antonio	Leuven
Drexl, Josef	MPI Munich
Drivas, Kyriakos	Agricultural University of Athens
Fey, Lisa	Munich
Fishman, Joseph	Harvard
Ford, Roger	Chicago
Frankenreiter, Jens	ETH Zurich
Gässler, Fabian	MPI Munich
Günster, Andrea	ETH Zurich
Häfeli, Michael	IMPRS-CI Munich
Harhoff, Dietmar	MPI Munich
Helmers, Christian	Santa Clara
Hilty, Reto	MPI Munich
Husovec, Martin	IMPRS-CI Munich
Karle, Heiko	ETH Zurich
Kühnhausen, Fabian	IMPRS-CI Munich
Kur, Annette	MPI Munich
Lang, Markus	MPI Cologne
Luo, Hong	Harvard
Mackenrodt, Mark-Oliver	MPI Munich
Malevanny, Nikita	IMPRS-CI Munich
Martels, Arthur von	IMPRS-CI Munich
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Moser, Petra	Stanford
Müller-Langer, Frank	MPI Munich
Nérisson, Sylvie	MPI Munich
Ohly, Ansgar	University of Munich
Overwalle, Geertrui van	Leuven/Tilburg
Price, Nicholson	Harvard
Solomon, Dov	College of Law & Business, Israel
Sturiale, Jennifer	George Mason
Stürz, Roland	MPI Munich
Temnyalov, Emil	Northwestern
Thursby, Jerry	Georgia Tech
Tsangaris, Panagiotis	IMPRS-CI Munich
Tyagi, Kalpana	IMPRS-CI Munich
Waelbroeck, Patrick	ParisTech
Watzinger, Martin	University of Munich
Wernick, Alina	IMPRS-CI Munich
Zacchia, Paolo	Berkeley